Chapter 13

ETHICS, CODE OF

§ 13-1. Construal of provisions.

§ 13-2. Definitions.

§ 13-3. Standards of conduct.

§ 13-4. Filing of claim against town.

§ 13-5. Distribution to officers and employees.

§ 13-6. Penalties for offenses.

[HISTORY: Adopted by the Town Board of the Town of Milo 8-16-1993. Amendments noted where applicable.]

§ 13-1. Construal of provisions.

These rules of ethical conduct shall not conflict with, but shall be in addition to any prohibition of Article 18 of the General Municipal Law or any other general or special laws relating to ethical conduct and interest in contracts of municipal officers and employees.

§ 13-2. Definitions.[1]

As used in this chapter, the following terms shall have the meanings indicated:

> INTEREST — A direct or indirect pecuniary or material benefit accruing to a municipal officer or employee as the result of a contract with the municipality which such officer or employee serves. For the purposes of this

[1] **Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).**

chapter, a municipal officer or employee shall be deemed to have an "interest" in the contract of:

A. His or her spouse, minor children and dependents, except a contract of employment with the municipality which such officer or employee serves.

B. A firm, partnership or association of which such officer or employee is a member or employee.

C. A corporation of which such officer or employee is an officer, director or employee.

D. A corporation, any stock of which is owned or controlled directly or indirectly by such officer or employee.

MUNICIPAL OFFICER OR EMPLOYEE — An officer or employee of the Town of Milo, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer fireman or civil defense volunteer, except a fire chief or assistant fire chief.

§ 13-3. Standards of conduct.

Every officer or employee of the Town of Milo shall be subject to and abide by the following standards of conduct:

A. He or she shall not, directly or indirectly, solicit any gift; or accept or receive any gift having a value of $75 or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or her, or could reasonably be expected to influence him or her in the performance of his or her

official duties or was intended as a reward for any official action on his or her part.[2]

B. He or she shall not disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest.

C. He or she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he or she is an officer, member or employee or of any municipal agency over which he or she has jurisdiction or to which he or she has the power to appoint any member, officer or employee.

D. He or she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of his or her municipality, whereby his or her compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this subsection shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

E. To the extent that he or she knows thereof, a member of the Town Board, any officer or employee of the Town of Milo, whether paid or unpaid, who participates in the discussion or gives official opinion to the Town Board of any legislation before the Town Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he or she has in such legislation.

F. He or she shall not invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction, which creates a conflict with his or her official duties.

---

[2] **Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).**

G. He or she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his or her official duties.

H. He or she shall not, after the termination of service or employment with such municipality, appear before any board or agency of the Town of Milo in relation to any case, proceeding or application in which he or she personally participated during the period of his or her service or employment or which was under his or her active consideration.

§ 13-4. Filing of claim against town.

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against the Town of Milo, or any agency thereof on behalf of himself or herself or any member of his or her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

§ 13-5. Distribution to officers and employees.[3]

The Supervisor of the Town of Milo shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the Town of Milo within 60 days after the effective date of this chapter. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of this office or employment. Failure to distribute any such copy or failure of any officer or employee to receive such copy shall have no effect on the duty of compliance with such code nor the enforcement of provisions thereof.

---

[3] **Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).**

§ 13-6. Penalties for offenses.

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided.